

under the bed. He had his clothes off.  
(The prisoner excepted.)  
I have frequently seen him go in the direction of James Melton's, night and day, I didn't know where he was going.

Cross Examination There are other young women living in the direction of James Melton's besides Anne.

Martha Gilbert testified, "On the Wednesday or Thursday before the Friday of Laura Foster's disappearance, I saw the prisoner on the road between Mrs. Dula's and Lotty Foster's. He had a Mattach in his hand, and was skelping along side the path with it. I asked him what he was doing. He said he was fixing the path, and making the road wider so that he could go along of nights. It was about 200 or 300 yards from where I saw him standing, to the grave.

Cross Examination It was about one hundred yards from where he was standing, to Mrs. Dula's, his mother's and it was about the old field towards Lotty Foster's.

Thomas Foster testified, "On the Thursday before that Friday, the prisoner came to the house of Lotty Foster and wanted to borrow a Mattach. Said he wanted to work some devilment out of himself. I saw him with Mattach going toward his home. It was after breakfast that he came after the Mattach. I saw him afterwards that day passing along. On the next day, Friday after breakfast awhile, I saw him coming from James Melton's, and going towards home. I again saw him going towards James Melton's, he was on the Stoney Fork before the turning place of the Bates' place. This was on Friday also. I saw him again on that day about sundown, going in the same direction, a quarter of an hour after he passed this last. I got a horse and went to James Melton's. Dula was not there, Anne Melton was. I stayed there until midnight.

Cross Examination A person passing our house to go to either James Melton's or the Bates' place.